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11 Attorneys for Defendants CITY OF SAN JOSÉ,
12 WILLIAM HOYT, and CRAIG BLANK

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSÉ FACILITY

16 TRACY WATSON, RENEE STALKER,
17 PAM STALKER as Guardian Ad Litem for
18 O.S., S.W., and R.W., minors,

19 Plaintiffs,

20 v.

21 COUNTY OF SANTA CLARA, SANTA
22 CLARA VALLEY MEDICAL CENTER;
23 EVERGREEN SCHOOL DISTRICT; CITY
24 OF SAN JOSE, NORMA SPARKS, LINDA
25 BAUM, SHARON BURGAN, JEWELS
26 RAMIREZ, YAZMINA LETONA, LINDA
27 CASTALDI, VU TRAN, RIMA SINGH,
28 AARON WEST, ROSÉ REAL, ROBERT
PRUITT, GARY KISHIMOTO, CHERYL
HARMS, CLAUDIA BLODGETT, JOHN
HAMILTON, ANITA NOBLE, JANET
KAHLE, MARY RITTER, DAVID KERNS,
WILLIAM HOYT, CRAIG BLANK,

Defendants.

NO.: C06-04029 RMW

STATEMENT OF THE CASE
(Disputes are noted in parentheses)

24 This case involves claims by Plaintiffs Tracy Watson and Renee Stalker and their
25 children, Olivia, Riley and Shaffer, that the children were illegally taken from the custody and
26 care of their family by Defendants, San Jose Police Detectives Sgt. Craig Blank and Officer
27 William Hoyt. (Defendants suggest: This case involves claims by Plaintiffs Tracy Watson and
28 Renee Stalker and their children, Olivia, Riley and Shaffer, that the children were *improperly*

1 taken from the custody and care of their family by Defendants, San Jose Police Detectives
2 Sgt. Craig Blank and Officer William Hoyt.)

3 Plaintiffs claim that on June 29, 2005, the officers illegally entered their home and
4 improperly seized Riley and Shaffer, ages 1 and 2, without a warrant or legal right. Plaintiffs
5 also claim that on June 30, 2005, Defendant officers improperly seized Olivia after an
6 interview at the police interview center. Defendant City of San Jose and officers Blank and
7 Hoyt contend that the entry into the house on June 29, 2005 and seizures of the children on
8 June 29, and June 30, 2005, were proper because of an imminent risk of serious bodily harm.
9 (Defendants suggest: Defendant City of San Jose and officers Blank and Hoyt contend that
10 the entry into the house on June 29, 2005 and seizures of the children on June 29, and June
11 30, 2005, were proper because of an imminent risk of *abuse or* serious bodily harm.)
12 Additionally, Plaintiffs claim that the City of San Jose is liable due to policies or practices that
13 led to the improper seizure of the children. The City denies that its policies and practices
14 were improper.

15 This trial will be divided into two phases. In phase 1, the jury will be asked to
16 determine whether Defendants City, Blank, and/or Hoyt violated Plaintiff's constitutional
17 rights. If the jury finds liability, the second phase of this trial will involve the appropriate
18 amount of damages to be awarded.

19 DATED: March 18, 2011

RICHARD DOYLE, City Attorney

20 By: /s/ Clifford S. Greenberg
21 CLIFFORD S. GREENBERG
22 Senior Deputy City Attorney

23 Attorneys for Defendants CITY OF SAN
24 JOSÉ, WILLIAM HOYT, and CRAIG BLANK
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